

COPY FOR IB

Rec'd PCT/PTO 11 JAN 2005

10/521344

PATENT COOPERATION TREATY

PCT

REC'D 05 NOV 2004

WIPO

PCT



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference HONG1188	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/KR2003/001402	International filing date (day/month/year) 16 JULY 2003 (16.07.2003)	Priority date (day/month/year) 18 JULY 2002 (18.07.2002)
International Patent Classification (IPC) or national classification and IPC IPC7 A41B 9/02		
Applicant HONG, Young-Soo		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the report
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 29 JANUARY 2004 (29.01.2004)	Date of completion of this report 26 OCTOBER 2004 (26.10.2004)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer MIN, Byong Yug Telephone No. 82-42-481-5617 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/001402

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed

☐ the description:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the claims:

pages _____, as originally filed
pages _____, as amended (together with any statement) under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the drawings:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☒ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheet _____

5.

☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed," and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2003/001402

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-4	YES
	Claims	NO
Inventive step (IS)	Claims	YES
	Claims 1-4	NO
Industrial applicability (IA)	Claims 1-4	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

1) Reference is made to the following document:

D1: KR 2002-042054 A

2) Reasoned statement with regard to novelty, inventive step and industrial applicability.

Claim 1 of the present invention relates to an inside structure of a male underpanty having a waist band equipped with a pair of penis supporting cords and a pair of penis exercising cords, whose lengths can be adjusted and connected with both ends of a penis cord. Claim 2 relates to the penis supporting cords being made of an elastic material to perform the same movement as the penis exercising cords. Claim 3 relates to a penis exercising cord. Claim 4 relates to a penis cord having various functions.

D1 discloses an inner structure of a male underpanty including a panty body, a line for penis, a line for scrotum, a line for moving penis, a line for supporting penis, a transfer tool for walking power and a backward induction line. The above lines of D1 are made of an elastic material. The line for supporting penis can be adjusted to play the same role as the line for moving penis in D1, which is also disclosed in the present invention. In addition, a line for penis and a line for scrotum of D1 made of a low temperature inducing material, are given a variety of functions.

The present invention is novel over D1 under PCT Article 33(2), since a line for scrotum and a transfer tool for walking power of D1 are omitted in its technical feature. However, the omission of parts of the components of D1 such as a line for scrotum and a transfer tool for walking power can be regarded as a simple design procedure to be made by a person skilled in the art.

Thus, claims 1-4 are not inventive under PCT Article 33(3).

Claims 1 to 4 also meet the criteria set out in PCT Article 33(4), because all the claims are considered to be industrially applicable.